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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,812

09/15/2003

Martin Heeney

MERCK-2740

7389

23599 7590 03/14/2008  
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
2200 CLARENDON BLVD.  
SUITE 1400  
ARLINGTON, VA 22201

EXAMINER

TRUONG, DUC

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

03/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10661812	9/15/03	HEENEY ET AL.	MERCK-2740

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
2200 CLARENDON BLVD.  
SUITE 1400  
ARLINGTON, VA 22201

**EXAMINER**

Duc Truong

ART UNIT	PAPER
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1796	20080305
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**Commissioner for Patents**

The reply brief is noted and the Office action is maintained for the reasons as stated in the Examiner's answer in that the only rejection is claims 1-6,10-11, and 14-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Since there is no art rejection in the Examiner's answer, then the request to withdraw the restriction requirement is irrelevant at this time though said petition is granted.

/Duc Truong/  
Primary Examiner, Art Unit 1796